

PATENT
450100-03246**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendment and remarks. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-5 and 7-11 are pending in this application. Claims 1 and 7 are independent. Claims 6 and 12 have been canceled, without prejudice or disclaimer of subject matter. No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. OBJECTION TO THE SPECIFICATION

The Abstract is hereby amended, thereby obviating the objection.

III. REJECTIONS UNDER 35 U.S.C. §102(e) and 35 U.S.C. §103(a)

Claims 1-5 and 7-11 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No, 6,067,121 to Shigihara (hereinafter, merely "Shigihara"). Claims 1-5 and 7-11 were rejected under 35 U.S.C. 103 (a) as allegedly unpatentable over the combination of Yarita (JP 11-298351) (hereinafter, merely "Yarita") and Shigihara. Applicants respectfully traverse the rejections.

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IV. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...said individual information contained in said transport stream is sequentially accumulated into said storing means on the basis of a result of extraction by said extracting means; and

said transmitting means transmits said control signal to said given circuit when a capacity of said storing means exceeds a given value.” (emphasis added)

As understood by Applicants, Shigihara relates to a scrambled broadcast system that includes a scrambler having a first generator and a second generator.

Applicants respectfully submit that Shigihara fails to disclose or suggest that individual information contained in said transport stream is sequentially accumulated into said storing means on the basis of a result of extraction by said extracting means; and said transmitting means transmits said control signal to said given circuit when a capacity of said storing means exceeds a given value, as recited in claim 1.

Indeed, Applicants submit that the disclosure of a timer, as described in Shigihara does not teach or suggest the storage means recited in claim 1. (See column 13, lines 50-67 of Shigihara)

Furthermore, Applicants submit that the Office Action concedes that Yarita does not disclose the above-identified features of claim 1 and relies on Shigihara to provide the missing description.

Therefore, Applicants respectfully submit that claim 1 is patentable.

Claim 7 is similar, or somewhat similar, in scope and is patentable for similar, or somewhat similar, reasons.

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450100-03246**V. DEPENDENT CLAIMS**

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

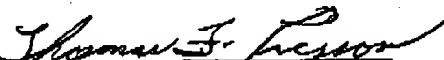
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Applicants respectfully request early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
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